

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY 

2005 JUL 19 PM 12:14

DIANNE WOODS, individually, and in her
representative capacity as mother and
administratrix of the estate of
ANTONIO MILLER, deceased,

THOMAS M. GILLO
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

Plaintiff,

VS.

NO. 05-2308 Ma\An
JURY DEMANDED

SHELBY COUNTY, TENNESSEE;
ANTHONY ALEXANDER, individually, and in his
official capacity as Director of Chief of
Operations of the Shelby County Division of
Corrections; GEORGE M. LITTLE, individually,
and in his official capacity as Director of the
Shelby County Division of Corrections; and
CORRECTIONAL MEDICAL SERVICES, INC.,

Defendants.

[PROPOSED] RULE 16(b) SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held on July 20, 2005. At the
conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES (RULE 26(a)(1)):

August 3, 2005

JOINING PARTIES:

Plaintiff:

September 20, 2005

Defendant:

October 20, 2005

AMENDING PLEADINGS:

Plaintiff:

September 20, 2005

Defendant:

October 20, 2005

COMPLETING ALL DISCOVERY:

March 20, 2006

- (a) **REQUEST FOR PRODUCTION,
INTERROGATORIES AND
REQUEST FOR ADMISSIONS:**

March 20, 2006

- (b) **EXPERT DISCLOSURE (Rule 26(a)(2)):**

(i) **Plaintiff's Expert:**

January 20, 2006

(ii) **Defendant's Experts:**

February 20, 2006

(ii) **Supplementation under Rule 26(e):**

March 2, 2006

- (c) **DEPOSITIONS OF EXPERTS:**

March 20, 2006

FILING DISPOSITIVE MOTIONS:

April 20, 2006

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

- (a) **for Plaintiff:**

45 days before trial

- (b) **for Defendant:**

30 days before trial

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last **three or four** days. The presiding judge will set this matter for **Jury Trial**. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least 10 days before trial.

OTHER RELEVANT MATTERS:

Interrogatories, Request for Production and requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allows 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60, shall be accompanied by a proposed Order and a certificate of Consultation.

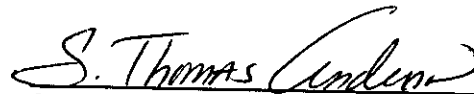
The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

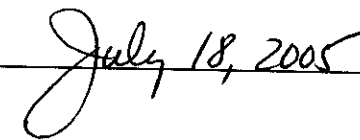
The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless all parties agree to a continuance, or an emergency arises which precludes the matter from proceeding to trial. **The parties have not consented to trial before the Magistrate Judge.**

The parties are encouraged to court-annexed attorney mediation or private mediation on or before the close of discovery. The parties are willing to mediate this cause and will agree to use a court-annexed attorney mediation.


This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.

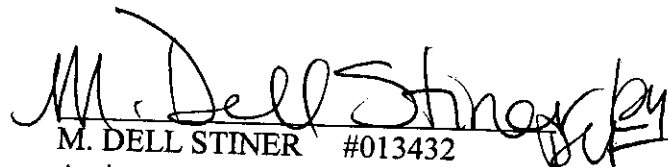

S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

Date: 

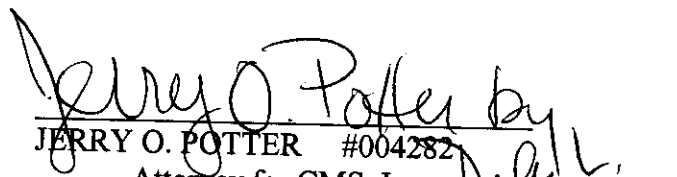
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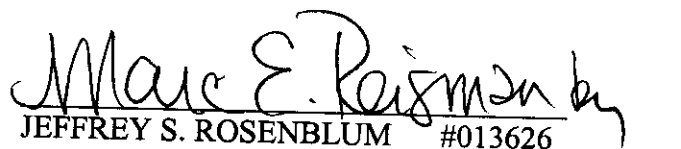

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Notice of Distribution

This notice confirms a copy of the document docketed as number 9 in case 2:05-CV-02308 was distributed by fax, mail, or direct printing on July 21, 2005 to the parties listed.

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Honorable Samuel Mays
US DISTRICT COURT